



Town of Tiburon

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The project would result in an addition of 111 square feet of floor area, and 644 square feet of lot coverage. The property would meet the requirement for floor area, but the lot coverage for the property would increase from 19.0% to 23.5%. Since the maximum lot coverage for the property is 15%, the applicant is requesting a variance for excess lot coverage.

The project would also require a variance for reduced rear yard setback. The eave and porch extension, and the small kitchen addition, would encroach on the required rear yard setback. The applicant is requesting approval for a rear yard setback of 20'6" in lieu of the standard 24 feet.

ANALYSIS:

Zoning

Except for the above mentioned variances for excess lot coverage and reduced rear yard setback, the project appears to be in conformance with the remaining development regulations of the RO-2 zoning district.

Design Issues

The applicant has stated that the primary purpose of the proposed improvements is to increase the architectural interest to the existing building while reducing the southern exposure. This is mainly achieved through the addition of the porch around the building. In addition, three dormers would be added to the roof, and a break-pitch in the roof would be created, which would occur along the line of the new porch. On the southwest corner of the building, the family room would be cut back from the edge of the roof eave, providing more shade for this area of the home. A bow window would be added to the front elevation, off of the existing living room. The front entryway would be reconfigured as well; the front landing would be lowered to increase the prominence of the foyer and to increase accessibility to the downstairs area.

More subtle interior improvements would include a small addition off the kitchen and an addition to the master closet. On the lower level, a new bedroom and bathroom would be created where there was previously storage area. The interior staircase would be relocated so descending access would be obtained from the foyer rather than from the upstairs hallway.

Other site improvements would include the re-grading of the driveway, the installation of retaining walls near the garage, the installation of a new entry walkway and landing, the creation of a rear patio and lawn area, and the construction of a trellis in the rear yard. The driveway would be lowered by approximately two feet to make the ascent less steep. To gain access to the new lower-level bedroom, a few low retaining walls would be installed around the bedroom door. The trellis in the rear yard would cover approximately 100 square feet, and would be approximately 8 feet high.

The exterior finishes would also be modified. The siding would be grey colored stucco with white and burgundy trim. The roof would be comprised of dark grey composite shingles. A color and materials board will be available for review at the Design Review Board meeting. While the proposed improvements would modify the appearance of the residence, the footprint



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and existing building envelope would not change significantly. Therefore staff foresees no design issues with the proposed project.

Variance

In order to grant the requested variance, the Board must make the following findings as required by Section 4.03.05 of the Tiburon Zoning Ordinance:

- 1. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones.**

The applicant has stated that the existing residence is located on an exposed knoll and is prone to unusually severe problems with the southern sun. In addition, the size of the property is well below the minimum lot size for the RO-2 zoning district, which presents difficulties in complying with the lot coverage requirements. The applicant has stated that the project is meant to mitigate this unusual circumstance of the property while maintaining the integrity of the existing structure as much as possible.

- 2. The variance will not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and in the same or similar zones.**

Similar variances for both reduced yard setbacks and excess lot coverage have been granted for the properties at 6 Acela Drive (#27122, #28411), and 8 Audrey Court (#298015). Other single variances have been approved for the properties at 11 and 16 Acela Drive, 6 and 7 Audrey Court, 1 and 2 Berke Court, and 1 and 6 Bartel Court. Therefore the granting of the proposed variances would not constitute a special privilege.

- 3. The strict application of this Ordinance would result in practical difficulty or unnecessary hardship.**

The strict application of the Ordinance would result in the applicant having to endure severe southern sun exposure, or reposition the existing house in a location that would have a more adverse impact on the surrounding properties. Both of these options would be an unnecessary hardship for the applicant.

- 4. The granting of the variance will not be detrimental to the public welfare or injurious to other properties in the vicinity.**

As proposed, the variances would not appear to have an adverse impact on views privacy, or otherwise on the properties in the vicinity.

Public Comment

To date, no public comment has been received regarding this application.

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RECOMMENDATION:

It is recommended that the Board review this project with respect to Zoning Ordinance Sections 4.02.07 and 4.03.05 (Guiding Principles, and Variance Findings by Acting Body) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303. If the Board finds that the design of the project is consistent with the Guiding Principles for Site Plan and Architectural Review, and all necessary findings can be made for the variances for excess lot coverage and reduced rear yard setback, then it is recommended that the project be approved with the attached Conditions of Approval.

EXHIBITS:

1. Conditions of Approval.
2. Application and supplemental materials dated July 25, 2003.
3. Applicant's findings for the variance.
4. Plans for the proposed project.

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EXHIBIT 1

CONDITIONS OF APPROVAL 4 Acela Drive FILE #20321

1. This approval shall be used within 3 years of the approval date, and shall become null and void unless a building permit has been issued.
2. The development of this project shall conform to the application received by the Town of Tiburon on July 25, 2003, or as amended by these conditions of approval. Any modifications to the approved plans must receive further design review and approvals.
3. All exterior lighting fixtures other than those approved by the Design Review Board must be down-light type fixtures.
4. Plans submitted to the Building Department for plan check shall be identical to those approved by the Design Review Board. If any changes are made to the approved Design Review plans, the permit holder is responsible for clearly identifying all such changes when submitted to the Building Department for plan check. Such changes must be clearly highlighted (with a "bubble" or "cloud") on the submitted plans. A list describing in detail all such changes shall be submitted and attached to the building plans, with a signature block to be signed by the Design Review Staff member indicating that these changes have been reviewed and are approved, or require additional Design Review. All changes that have not been explicitly approved by Staff as part of the Building Plan Check process are not approved. Construction that does not have Design Review approval is not valid and shall be subject to stop work orders and may require removal.